

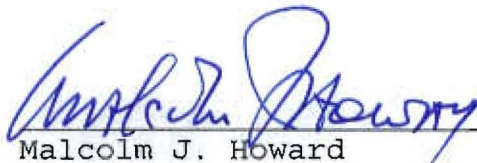
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:10-CV-176-1H

J&J SPORTS PRODUCTION, INC.,)
)
Plaintiff,)
)
v.)
)
DIRROAD, LLC, d/b/a Zydeco)
Downtown, and MELVIN HARRIS,)
)
Defendants.)

ORDER

This matter is before the court on plaintiff's motion for default judgment, filed December 22, 2010. A review of the record reveals that plaintiff has never properly sought entry of default by the clerk. Therefore, plaintiff's motion for default judgment is premature and is denied without prejudice. Plaintiff may refile the motion, if so desired, following proper motion for entry of default and entry thereof by the clerk.

This 20th day of January 2011.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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